

September 16, 2021

Ms. Sarah Flath
Environmental Manager
Coteau Properties Company
204 County Road 15
Beulah, ND 58523

Re: Air Pollution Control
Permit to Operate Renewal
Synthetic Minor Source

Dear Ms. Flath:

Pursuant to the Air Pollution Control Rules of the State of North Dakota, the Department of Environmental Quality (Department) has reviewed the application dated June 9, 2021, to renew a synthetic minor Permit to Operate for the Coteau Properties Company – Freedom Mine located in Mercer County, ND.


Enclosed is a copy of the Department's proposed Permit to Operate No. AOP-28149 v5.0 for the facility. Before making final determinations on the permit application, the Department provides for public comment by means of the enclosed public notice and provides for a concurrent 30-day Environmental Protection Agency (EPA) review. As indicated in the notice, the 30-day public comment period will begin September 21, 2021, and end on October 20, 2021. Public comment documents will be made available at: <https://deq.nd.gov/AQ/PublicCom.aspx>.

All comments received will be considered in the final determination concerning the issuance of the permit. The Department will take final action on the permit application following the public comment period and EPA review. You will be notified in writing of our final determination.

Please contact me at (701)328-5283 or at cristy.jones@nd.gov with any questions.

Sincerely,



 Cristy Jones
Environmental Scientist
Division of Air Quality

CMJ:saj

Enc:

xc: Dan Fagnant, EPA/R8 (email - fagnant.daniel@epa.gov)
Gail Fallon, EPA/R8 (email - fallon.gail@epa.gov)

4201 Normandy Street | Bismarck ND 58503-1324 | Fax 701-328-5200 | deq.nd.gov

Director's Office
701-328-5150

Division of
Air Quality
701-328-5188

Division of
Municipal Facilities
701-328-5211

Division of
Waste Management
701-328-5166

Division of
Water Quality
701-328-5210

Division of Chemistry
701-328-6140
2635 East Main Ave
Bismarck ND 58501

NOTICE OF INTENT TO ISSUE AN
AIR POLLUTION CONTROL
SYNTHETIC MINOR PERMIT TO OPERATE

Take notice that the North Dakota Department of Environmental Quality (NDDEQ) proposes to reissue an Air Pollution Control Permit to Operate to the Coteau Properties Company for the operation of the Freedom Mine in accordance with the North Dakota Air Pollution Control Rules. The facility is located at 204 County Road 15, Beulah, ND 58523. The facility mines, crushes and transports lignite coal. The Coteau Properties Company – Freedom Mine mailing address is 204 County Road 15, Beulah, ND 58523. There are no changes in emissions with this renewal.

A thirty-day public comment period for the draft permit will begin September 21, 2021, and end on October 20, 2021. Direct comments in writing to the NDDEQ, Division of Air Quality, 4201 Normandy Street, 2nd Floor, Bismarck, ND 58503-1324 or email AirQuality@nd.gov, Re: Public Comment Permit Number AOP-28149 v5.0. Please note that, to be considered, comments submitted by email must be sent to the email address listed; comments sent to any other email address **will not** be considered. Comments must be received by 11:59 p.m. central time on the last day of the public comment period to be considered in the final permit determination. A public hearing regarding issuance of the permit will be held if a significant degree of public interest exists as determined by the NDDEQ. Requests for a public hearing must be received in writing by the NDDEQ before the end of the public comment period.

The notice, draft permit and application are available for review at the above NDDEQ Division of Air Quality address and on the Division of Air Quality website at <https://deq.nd.gov/AQ/PublicCom.aspx>. A copy of these documents may be obtained by writing to the Division of Air Quality or contacting Cristy Jones at (701)328-5283 or by email at cristy.jones@nd.gov.

Dated this 16TH day of September 2021

James L. Semerad
Director
Division of Air Quality

AIR POLLUTION CONTROL
MINOR SOURCE
PERMIT TO OPERATE

Pursuant to Chapter 23.1-06 of the North Dakota Century Code (NDCC), and the Air Pollution Control Rules of the State of North Dakota, and in reliance on statements and representations heretofore made by the permittee designated below, a Permit to Operate is hereby issued authorizing such permittee to operate the source unit(s) at the location designated below. This Permit to Operate is subject to all applicable rules and orders now or hereafter in effect of the North Dakota Department of Environmental Quality (Department) and to any conditions specified below:

1. Permittee: A. Name: Coteau Properties Company B. Address: 204 County Road 15 Beulah, ND 58523	2. A. Permit Number: AOP-28149 v5.0 B. Permit Description: Synthetic Minor Source: NDAC 33.1-15-14-03.1.e
3. Source Name & Location: Coteau Properties Company – Freedom Mine 204 County Road 15 Beulah, ND 58523 Mercer County	4. Source Type: Coal Mine (began construction 1978, updates after May 27, 2009)
5. Expiration Date: November 15, 2026	

6. Freedom Mine and associated mine activities and equipment include, but are not limited to:

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment ^A
Fugitive Emissions Topsoil removal and replacement Overburden removal and replacement Coal and overburden blasting operations Coal loading and transferring to lignite handling facilities	FUG 1	FUG 1	None
Lignite Processing and Handling Facility (Subpart Y) comprised of the following:			
Two truck dumps with a hopper capacity of 700 tons each (west truck dump)	1 and 2 ^B	1 and 2	None

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment ^A
Two Nation Iron Company Model FD4476 apron feeders with a design capacity of 2,000 tons per hour (tph) each (west truck dump)	3 and 4 ^B	3 and 4	Fogger #1 ^D
Two MMD Model 625 primary crushers, and two MMD Model 625 secondary crushers, each with a design capacity of 2,000 tph (west truck dump)	5 and 6 ^B	5 and 6	Fogger #1 ^D
Two Continental Conveyors 54" wide primary conveyors with a design capacity of 2,000 tph each (north and south belts)	7 and 8 ^B	7 and 8	Fogger #1 ^D
Two Fisher 84" x 11'6" apron feeders, each with a design capacity of 2,000 tph (4 th floor, secondary crusher building) (2017)	9 ^C	9	Fogger #2 ^D
Two American Pulverizer Company Model ACC-57J secondary crushers, each with a design capacity of 2,000 tph (3 rd floor, secondary crusher building) (2017)	10 and 11 ^C	10 and 11	Fogger #2 ^D
Two Continental Conveyors with Hanson Drives Model 54" wide feed conveyors, each with a rated capacity of 2,000 tph (6 th and 7 th floor, secondary crusher building)	12 and 13 ^B	12 and 13	Fogger #2 ^D
Two Continental Conveyors Model 60" wide feed conveyors, each with a rated capacity of 2,000 tph (1 st floor, secondary crusher building, L1 and L2)	14 and 15 ^B	14 and 15	Fogger #3 ^D
Two Continental Conveyors with Hanson Drives Model 54" wide fines conveyors, each with a design capacity of 2,000 tph (3 rd floor, fines building) ^A	16 and 17 ^B	16 and 17	Bagfilter ^E
Truck dump with a hopper capacity of 878 tons (east truck dump)	18 ^F	18	None
2,000'-long ¾ covered conveyor rated at 2,000 tph (4CV1 conveyor under haul road to 7 th floor secondary crusher building)	19 ^F	19	None
Fisher 6' x 21' apron feeder with a design capacity of 2,000 tph (east truck dump)	20 ^F	20	Fogger #4 ^D
Primary crusher rated at 2,000 tph (east truck dump)	21 ^F	21	Fogger #4 ^D
Secondary crusher rated at 2,000 tph (east truck dump)	22 ^F	22	Fogger #4 ^D
700'-long fully covered conveyor rated at 2,000 tph (4CV01, from east truck dump secondary crusher to transfer building to 4CV1)	23 ^F	23	Fogger #4 ^D

^A Coteau installed advanced flow engineering spoon and chutes throughout the coal handling facility in 2013-2014.

^B Lignite Coal Handling Facility subject to 40 CFR 60, Subpart Y, Const. Before 4/28/2008

- C Lignite Coal Handling Facility subject to 40 CFR 60, Subpart Y, Const. After 5/27/2009.
D All foggers are Raring Corporation or DCI Corporation Agglomerative Dust Suppression Systems that
E use water vapor fog to suppress dust. Fogger numbers designate control panel.
F Design efficiency of at least 99% (Peabody Model PSTR-10-121C).
East Coal Handling Facility not subject to 40 CFR 60, Subpart Y, Const. Before 4/28/2008.

CONDITIONS

7. A. **Emission Limits:** Emission limits from the operation of the source unit(s) identified in Item 6 of this Permit to Operate (hereafter referred to as "permit") are as follows. Source units not listed are subject to the applicable emission limits specified in the North Dakota Air Pollution Control Rules.

Emission Unit Description	EU	EP	Pollutant/ Parameter	Emission Limit ^A
Lignite processing and handling facility: dump, hoppers, crushers, feeders and conveyors	1 through 8 & 12 through 23	1 through 8 & 12 through 23	Opacity	20%
Lignite processing and handling facility: crushers and feeders	9 through 11	9 through 11	Opacity	10%
Two Continental Conveyors with Hanson Drives Model 54" wide fines conveyors, each with a design capacity of 2,000 tph	16 and 17	16 and 17	Particulate Matter	1.7 lb/hr

^A Applies to each emission point (EP)

- B. **Production Limit:** Production of lignite coal is limited to the following 12-month rolling total tons per year (tpy): 16.5×10^6 tons per year.

C. **Recordkeeping:**

- 1) The permittee shall record the monthly coal production (ton/month) on the first day of every month and determine the total coal production (ton/yr) during the previous 12-month period. Anytime the total coal production (ton/yr) exceeds the allowable limit outlined in Condition 7.B., the permittee shall notify the Department within 10 working days.
- 2) The permittee shall maintain any compliance monitoring records required by this permit or applicable requirements. The permittee shall retain records of all required monitoring data and support information for a period of at least five years from the date of the monitoring sample, measurement, report or application. Support information may include all calibration and maintenance records and all original strip-chart recordings/computer printouts for continuous monitoring instrumentation, and copies of all reports required by the permit.

D. **New Source Performance Standards (NSPS):** The permittee shall comply with all applicable requirements of the following NSPS subparts as referenced in Chapter 33.1-15-12 of the North Dakota Air Pollution Control Rules and 40 CFR 60.

- 1) 40 CFR 60, Subpart Y - Standards of Performance for New Stationary Sources: Coal Preparation Plants (pre-April 28, 2008) (EUs 1 through 8 & 12 through 17).
- 2) 40 CFR 60, Subpart Y - Standards of Performance for New Stationary Sources: Coal Preparation Plants (post-May 27, 2009) (EUs 9 through 11).

E. **Fugitive Emissions:**

- 1) The release of fugitive emissions shall comply with the applicable requirements in NDAC 33.1-15-17.
- 2) Fugitive Dust Control*: The permittee shall control fugitive dust as follows:
 - a) Control fugitive particulates from land clearing, topsoil and overburden removal, and other material handling operations using strategies such as watering, revegetation, delay of topsoil disturbance until necessary, surface compaction, and sealing unless natural moisture is sufficient to control emissions.
 - b) Use fugitive dust preventative measures such as watering, covering, shielding, or enclosing stockpiles, both active and inactive, as necessary to control emissions unless natural moisture is sufficient to control emissions.
 - c) Fugitive dust preventative measures such as frequent watering, addition of dust palliatives, detouring, paving, closure, speed control, or surface treatment shall be used for on-site haul roads unless natural moisture is sufficient to control emissions.
 - d) Construct, protect, or treat all conveyors, transfer point, crushers, screens, and dryers to minimize particulate matter emissions.

*Additional requirements may apply if subject to New Source Performance Standard 40 CFR 60, Subpart Y, Standards of Performance for Coal Preparation and Processing Plants.

F. **Annual Emission Inventory/Annual Production Reports:** The permittee shall submit an annual emission inventory report and/or an annual production report upon Department request, in a format provided or approved by the Department.

G. **Source Operations:** Operations at the facility shall be in accordance with statements, representations, procedures and supporting data contained in the initial application, and any supplemental information or renewal application(s) submitted thereafter. Any operations not listed in this permit are subject to all applicable North Dakota Air Pollution Control Rules.

- H. **Alterations, Modifications or Changes:** Any alteration, repairing, expansion, or change in the method of operation of the source which results in the emission of an additional type or greater amount of air contaminants or which results in an increase in the ambient concentration of any air contaminant, must be reviewed and approved by the Department prior to the start of such alteration, repairing, expansion or change in the method of operation.
- J. **Air Pollution from Internal Combustion Engines:** The permittee shall comply with all applicable requirements of NDAC 33.1-15-08-01 – Internal Combustion Engine Emissions Restricted.
- K. **Nuisance or Danger:** This permit shall in no way authorize the maintenance of a nuisance or a danger to public health or safety.
- L. **Malfunction Notification:** The permittee shall notify the Department as soon as possible during normal working hours of any malfunction which can be expected to last longer than twenty-four hours and can cause the emission of air contaminants in violation of applicable rules and regulations. Immediate notification to the Department is required for any malfunction that would threaten health or welfare, or pose an imminent danger.
- M. **Operation of Air Pollution Control Equipment:** The permittee shall maintain and operate all air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.
- N. **Permit Renewal and Invalidation:** This permit shall be effective from the date of its issuance until the date specified in Item 5 unless sooner suspended, revoked or surrendered. Upon suspension or revocation, the permit shall be returned to the Department. Application for renewal of this permit shall be submitted ninety days prior to such expiration date. The Department shall approve or disapprove the renewal of the permit within ninety days of receipt of the renewal application.
- O. **Change of Ownership:** This permit may not be transferred without prior approval from the Department.
- P. **Right of Entry:** Any duly authorized officer, employee or agent of the North Dakota Department of Environmental Quality may enter and inspect any property, premise or place at which the source listed in Item 3 of this permit is located at any time for the purpose of ascertaining the state of compliance with the North Dakota Air Pollution Control Rules. The Department may conduct tests and take samples of air contaminants, fuel, processing material, and other materials which affect or may affect emissions of air contaminants from any source. The Department shall have the right to access and copy any records required by the Department's rules and to inspect monitoring equipment located on the premises.
- Q. **Other Regulations:** The permittee of the source unit(s) described in Item 6 of this permit shall comply with all State and Federal environmental laws and rules. In addition, the permittee shall comply with all local burning, fire, zoning, and other applicable ordinances, codes, rules and regulations.

- R. **Permit Issuance:** This permit is issued in reliance upon the accuracy and completeness of the information set forth in the application. The conditions of this permit herein become, upon the effective date of this permit, enforceable by the Department pursuant to any remedies it now has, or may in the future have, under the North Dakota Air Pollution Control Law, NDCC Chapter 23.1-06. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- S. **Odor Restrictions:** The permittee shall not discharge into the ambient air any objectionable odorous air contaminant which is in excess of the limits established in NDAC 33.1-15-16.
- T. **Sampling and Testing:** The Department may require the permittee to conduct tests to determine the emission rate of air contaminants from the source. The Department may observe the testing and may specify testing methods to be used. A signed copy of the test results shall be furnished to the Department within 60 days of the test date. The basis for this condition is NDAC 33.1-15-01-12 which is hereby incorporated into this permit by reference. To facilitate preparing for and conducting such tests, and to facilitate reporting the test results to the Department, the permittee shall follow the procedures and formats in the Department's Emission Testing Guideline.

FOR THE NORTH DAKOTA DEPARTMENT
OF ENVIRONMENTAL QUALITY

Date _____

By _____
James L. Semerad
Director
Division of Air Quality